

**Introduced by Senator Torlakson**February 23, 2001

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An act to add Section 100.8 to the Revenue and Taxation Code, relating to taxation.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1019, as introduced, Torlakson. Property taxation.

The California Constitution requires the State Board of Equalization to assess the property, other than franchises, of companies transmitting or selling electricity. Existing property tax law provides for the valuation, as a unit, of properties of a state-assessee that are operated as a unit as a primary function of that assessee, and for the allocation of the assessed value of the unit among various counties in which the state-assessee's unitary property is located. Existing law also provides, pursuant to specified formulas, for the application in each county of specified tax rates to unitary assessed value, and for the allocation among jurisdictions in that county of the resulting revenues.

This bill would require that the assessed value of a power plant facility, as defined, be allocated exclusively to the county in which the primary power-generating operation of that facility is located. This bill would also require the revenues derived from the assessment of this property to be allocated among jurisdictions in the county, other than a specified fund, in certain percentage shares. By establishing new duties with respect to the annual allocation of property tax revenues derived from state-assessed property, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.



Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 100.8 is added to the Revenue and  
2 Taxation Code, to read:

3 100.8. Notwithstanding any other provision of law, for the  
4 2001–02 fiscal year and each fiscal year thereafter, all of the  
5 following apply:

6 (a) The property tax assessed value of a power plant facility  
7 assessed by the State Board of Equalization shall be allocated  
8 entirely to the county in which the primary power generating  
9 operation of the power plant facility is located.

10 (b) The total tax rate applied to the assessed value allocated  
11 pursuant to subdivision (a) shall be the sum of the rates calculated  
12 pursuant to subdivision (b) of Section 100.

13 (c) The revenues derived from the application of the total tax  
14 rate described in subdivision (b) to the assessed value allocated  
15 pursuant to subdivision (a) shall be allocated among jurisdictions  
16 in the county, other than the county’s Educational Revenue  
17 Augmentation Fund, in percentage shares equal to each of those  
18 jurisdiction’s percentage shares of the total amount of property tax  
19 revenue otherwise allocated among those same jurisdictions under  
20 this chapter.

21 (d) For purposes of this section, “power plant facility” has the  
22 same meaning as “facility” as defined in Section 25123 of the  
23 Public Resources Code.

24 SEC. 2. No reimbursement is required by this act pursuant to  
25 Section 6 of Article XIII B of the California Constitution because  
26 this act provides for offsetting savings to local agencies or school  
27 districts that result in no net costs to the local agencies or school  
28 districts, within the meaning of Section 17556 of the Government  
29 Code.

